

REMARKS

The courtesy of the Examiner during the telephone interview of April 6, 2004 is acknowledged.

1. It is important to understand that the present invention deals with the issues of digital voice answering and alternate number calling in a manner fundamentally different than the cited references.

In the present invention, the subscriber or user can indicate upon signing up for the service that certain of the numbers on the list created will be answered by a human voice and will require the SRS to request a transfer to an extension. The user can also indicate upon signing up for the service that certain of the numbers on the list will be answered by a Digital Voice via a Digital Voice System (DVS) and will require the SRS to request a transfer to an extension. In addition, the user can indicate that a certain number in the list will be answered by an answering service and if so the user will be required to indicate that this transfer request by the SRS be done in its own digital voice or by the use of DTMF digits. Further the user can indicate that a certain number will be answered by a Voice Mail System (VMS) form of DVS and the SRS is to play the reminder message after the VMS answers the telephone call. The user can also indicate that a certain number will be answered by a VMS or an Answer Machine form of digital voice. Finally, the user can further describe each number to be called on the list as having or not having some of the characteristics listed above. Of course scheduling of a reminder call may be by a caregiver or doctor's office or pharmacy.

The Hanson '151 reference discusses in col. 4, beginning at line 7, the actions of the sender in determining how a call from the messaging system is to be answered.

2. Claim 1 as currently amended clearly recites that the information regarding how a call will be answered is provided "by a subscriber". In the same vein, Claim 15 as currently amended recites the call answering information is "provided by a subscriber to said system". Also, the introductory portion has been amended so that it is clear that

"scheduling a reminder call from an automated, computerized voice  
message storage and redelivery system (SRS)"

may differ from "receiving by a subscriber a reminder call from the SRS".

Claims 1-3, 6-7, 10-14, 15,18 are not anticipated by Hanson '151 which is directed towards a different approach to messaging than that taken by the present invention. The Examiner indicated that he believes that the proposed amendment to claim 1, as discussed during the interview, was allowable over the art of record. If there are any other proposed changes that the Examiner considers necessary, please call to discuss.

With regard to Claims 4-5, 8-9, 16-17, the Brown '461 reference is directed towards an entirely different end, recalling billing procedures rather than the objective of the present invention.

3. The present amendment does not introduce any new matter or new issues because the specification states that "moreover, the data may be provided by a caregiver in the case of a user who is suffering from dementia, for example". Accordingly, the specification clearly distinguishes over the Hanson '151 reference wherein the system guesses how a call is to be answered and attempts to verify the decision. Applicant does not believe that additional searching is necessary since the claim 1, as originally filed included "scheduling and receiving by a user" (or subscriber) "a reminder call from an automated computerized voice message storage and redelivery system (SRS)" which fundamentally is the same as the now amended claim. Thus no new search is believed necessary. Also, since the Examiner has indicated that the amended claim 1 avoids the prior art of record, only a cursory review would seem to be necessary at this time.

4. Finally, applicant did inform the Examiner that the present application Ser. No. 09/605,477, filed June 28, 2000 has been allowed pursuant to a Notice of Allowance mailed December 16, 2003. The Examiner indicated that this may require a possible reopening of the prosecution if the claims are subject to double patenting rejection.

5. Applicant believes that this amendment places the application in condition for allowance.

Respectfully submitted,

  
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